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DOMINION OF CANADA
DEPARTMENT OF AGRICULTURE
ENTOMOLOGICAL BRANCH

INSTRUCTIONS

TO

IMPORTERS OF TREES, PLANTS AND OTHER
NURSERY STOCK INTO CANADA

Circular No. 4.

(Revised Edition.)

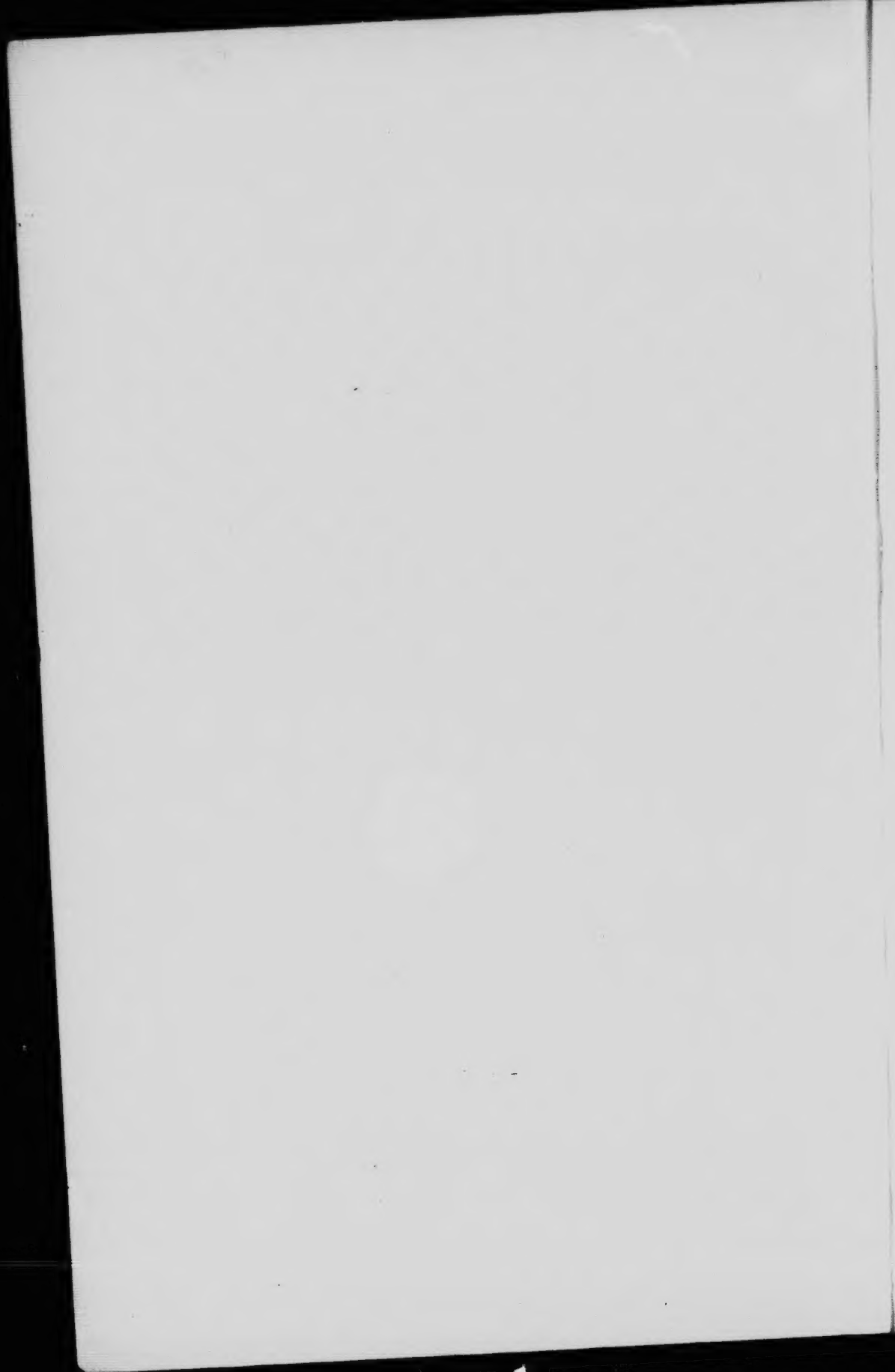
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To the Honourable
The Minister of Agriculture,
Ottawa.

SIR,—I have the honour to submit for your approval a revision of Entomological Circular No. 4 entitled: "Instructions to Importers of Trees, Plants and other Nursery Stock into Canada." This revision has been necessitated by the recent repeal by Order in Council on the 4th of November of the former Regulations and the substitution of new Regulations arranged in three sections: General Regulations, Plant Disease Regulations, and Insects and Fests Regulations. The first and last only are detailed in this circular. No material change was made in the regulations governing the importation of nursery stock and the fumigation and inspection of such plants.

This circular has been prepared by me for the guidance of persons importing nursery stock of various classes into Canada. Accordingly, a brief explanation of the requirements precedes the Regulations under The Destructive Insect and Pest Act, all of which are duly set forth.

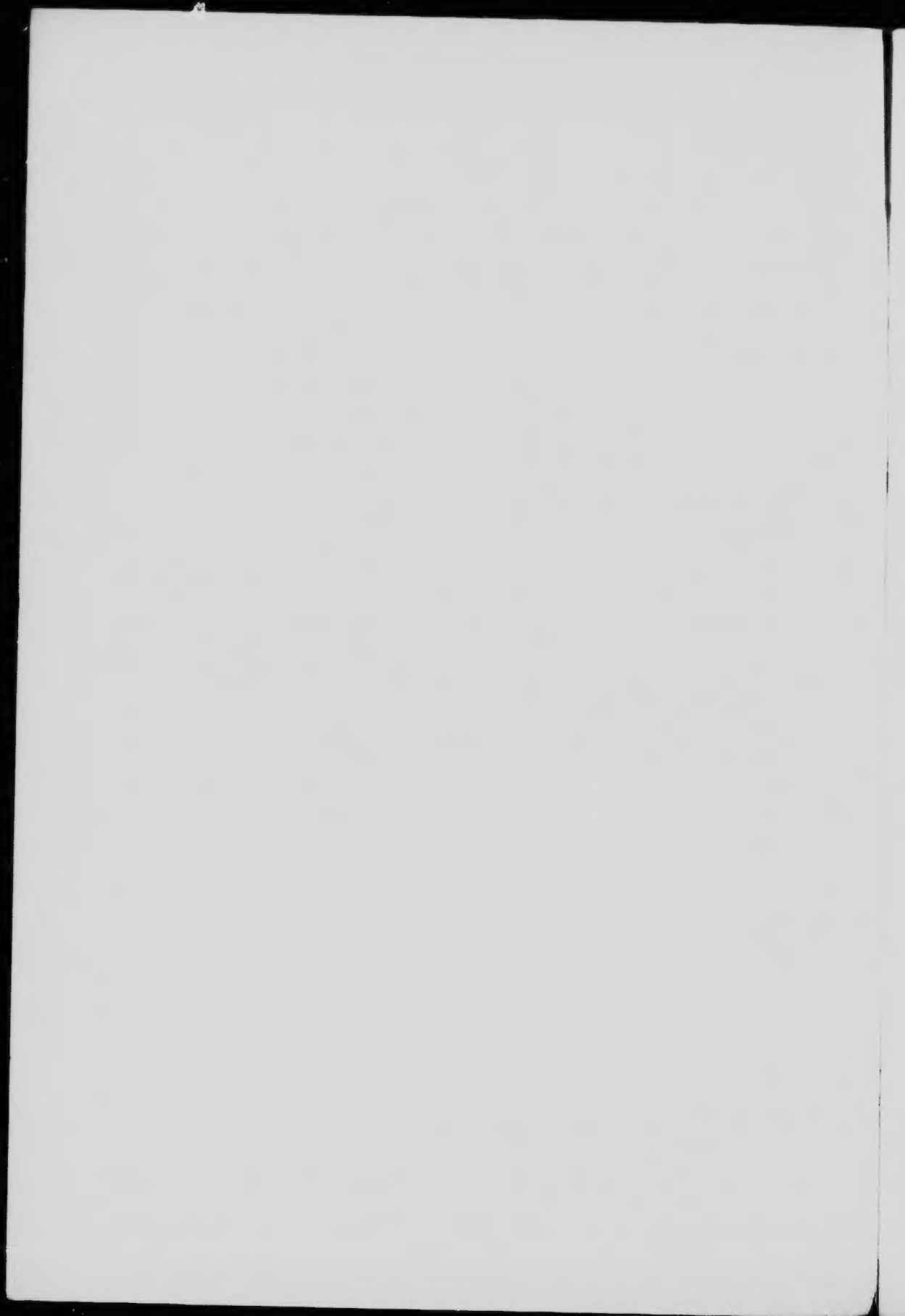
I have the honour to be, Sir,

Your obedient servant,

C. GORDON HEWITT.

Dominion Entomologist.

November 14, 1914.



INSTRUCTIONS TO IMPORTERS OF TREES, PLANTS AND OTHER NURSERY STOCK INTO CANADA.

EXPLANATION OF REGULATIONS FOR PERSONS IMPORTING NURSERY STOCK INTO CANADA.

The term "Nursery Stock" includes trees, shrubs, vines, grafts, scions, cuttings and buds. (Insects and Pests Regulation I.)

EXEMPTED PLANTS.

Plants which are exempt, at present, from the importation regulations and which may be imported into Canada at any time and through any port are: Herbaceous perennials, herbaceous bedding plants, bulbs, cottonwood from Dakota and Minnesota and, *when accompanied by a certificate*, greenhouse plants. (Insects and Pests Regulation I, subsections a to e.) No notice of the importation of these exempted classes of stock is required.

REQUIREMENTS TO BE OBSERVED BY ALL IMPORTERS OF NURSERY STOCK.

Importation Seasons.—Nursery stock may be imported into Canada during certain seasons of the year only and through certain specified ports (see Insects and Pests Regulation I). At these ports all nursery stock, except that of European (including British) origin, is fumigated.

Nursery Stock Subject to Inspection.—Nursery stock from the following countries and states is inspected: Europe, Japan, and the States of Vermont, New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island.

Notification of Importation.—All persons, except residents in British Columbia, importing nursery stock from the aforementioned places, *that is, stock subject to inspection*, must notify the Dominion Entomologist, Department of Agriculture, Ottawa. This notice must give the following details (Insects and Pests Regulation III):—

1. *Nature of Stock*; for example, apple seedlings, roses, etc.
2. *Quantity*; stating quantity of each kind.
3. *Origin*; stating country and place from which the stock is being imported, for example: London, England.
4. *Destination*. The final destination in Canada must be given, *as the name of firms or nurserymen importing stock for distribution or who the premises of the firm or nurserymen is the destination.*

5. *Name of Consignor.*

6. *Name of Consignee.*

7. *Names of the transportation company or companies carrying the stock.*

The sending of this notice need not entail much trouble, as an additional (duplicate or triplicate) copy of the original order can be made at the time of the despatching of the same, and sent, postage free, to the Dominion Entomologist.

Notification on Receiving Importations of Nursery Stock.—When a shipment reaches its destination the importer shall send a second notice to that effect in order that, if necessary, the inspection may be made. If the shipment bears a certificate showing that the plants have been inspected at the port of entry by an officer of the Department, this second notice may be omitted.

Consignors are required to clearly state on each container of nursery stock the name of the port by which it is intended that the shipment shall enter Canada (Insects and Pests Regulation II).

Transportation companies are required to send notification of shipments transported by them.

Custom House brokers are required to notify the Dominion Entomologist of shipments of nursery stock received by them. (Insects and Pests Regulation III.)

Inspection at Destination.—In some cases shipments of nursery stock are inspected at the port of entry and a certificate of inspection is then issued. In other cases, where it can be conveniently arranged, nursery stock is allowed to go to its destination for inspection; in such cases it must not be unpacked except in the presence of an inspector, who is sent to inspect the stock immediately notice of its arrival is received by the Dominion Entomologist. (Insects and Pests Regulation IV.)

Advising Shippers.—Persons importing nursery stock requiring inspection or fumigation should advise the shippers of the dates upon which the fall and spring importation seasons open and close, and of ports of entry through which stock is to be shipped (consult Insects and Pests Regulation I). If this is not done inconvenience and loss may be caused by the refusal to admit shipments not arriving within the prescribed periods.

Importers may obtain copies of these regulations to send to shippers on application to the Dominion Entomologist, to whom all inquiries should be addressed. Letters addressed to the Dominion Entomologist, Department of Agriculture, Ottawa, may be mailed "Free."

PROHIBITED IMPORTATIONS.

The importation of nursery stock, except certain classes of florists' stock duly certified, through the mails is prohibited. (See Insects and Pests Regulation VIII.)

The importation of the following plants is also prohibited:—

1. Coniferous trees such as spruce, fir, hemlock, pine, juniper (cedar) and arbovitæ (white cedar) or foliage thereof, and decorative plants such as holly and laurel from the States of Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island.

2. Plants, portions of plants and non-canned fruits or other vegetation from the Hawaiian Islands.
3. Chestnut (*Castanea dentata*) and chinquapi (*Casimaea pumila*) from the United States.
4. The following species of the genus *Pinus* and their horticultural varieties, viz.: White Pine (*Pinus strobus* L.); Western White Pine (*Pinus monticola*, Dougl.); Sugar Pine (*Pinus lambertiana*, Dougl.); Stone or Cembran Pine (*Pinus cembra* L.), and all other five-leaved species of the genus *Pinus*. (Plant Disease Regulation II.)
5. Nursery stock infested with any of the insect pests or diseases specified under Section X, General Regulations.

Nursery stock imported in contravention to the Regulations will be either exported or destroyed.

REGULATIONS UNDER THE DESTRUCTIVE INSECT AND PEST ACT GOVERNING THE IMPORTATION OF TREES, PLANTS, ETC., INTO CANADA.

INSECTS AND PESTS REGULATIONS

UNDER THE DESTRUCTIVE INSECT AND PEST ACT.

1. Nursery stock including all trees, shrubs, plants, vines, grafts, scions, cuttings or buds which are not hereinafter exempted, entering Canada shall be imported only through the ports and during the periods respectively hereinafter mentioned, that is to say:—

Vancouver, B.C., from October 1 to May 1.

Niagara Falls, Ont., from October 1 to May 15.

Winnipeg, Man., North Portal, Sask., and St. John, N.B., from March 15 to May 15, and from October 7 to December 7.

Windsor, Ont., and St. Johns, P.Q., from March 15 to May 15, and from September 26 to December 7.

At these points of entry the importations shall be fumigated in the fumigation houses provided for that purpose, and a certificate of fumigation will be issued, without which no stock may be taken out of bond.

All nursery stock originating in Japan or in any one of the States of Vermont, New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island, six of the United States of America, shall, after fumigation, be subject to inspection as provided by section IV of these regulations.

Provided, however, that the following vegetation and florists' stock shall be exempt from fumigation and may be imported at any season of the year through any port without inspection:—

**Importation
Seasons and
Ports of Entry.**

**Nursery Stock
Subject to
Inspection.**

**Plants
Exempt from
Fumigation
or Inspection.**

(a) Greenhouse grown plants, including roses in foliage which have been grown in pots up to three inches in diameter but not larger. **A certificate that the plants have been grown under glass must accompany the invoice and shall be signed by the consignor.**

(b) Herbaceous perennials (the stems of which die down in winter), such as perennial phlox, peonies, sunflowers, etc.

(c) Herbaceous bedding plants (such as geraniums, verbenas, pansies, etc.).

(d) Bulbs and tubers (such as hyacinths, lilies, narcissi and other true bulbs, and also the tubers of dahlias, irises, etc.).

(e) Cottonwood or Necklace Poplar (*Populus deltoides*, Marsh), when shipped from and grown in Dakota or Minnesota, two of the United States of America.

Labelling of Shipments.

II. The port by which it is intended that the nursery stock shall enter shall be clearly stated on each package, and all shipments made in accordance with these regulations will be entirely at the risk of the shippers or consignees, the Government assuming no responsibility whatever.

Notification of Inspection.

III. All persons importing nursery stock subject to inspection, except such as is exempt under section 1 of the Regulations, shall give notice to the Dominion Entomologist, Department of Agriculture, Ottawa, within five days of despatching the order for the same. This notice shall include a detailed statement of the nature, quantity and the points of origin and destination of the stock, the name of the consignor and of the consignee, and the name of the transportation company or companies carrying the stock. A second notification shall be sent to the Dominion Entomologist by the importer immediately on the arrival of the stock at its final destination. Notice shall also be given by all transportation companies, custom house brokers and other persons importing or bringing into Canada nursery stock that is subject to inspection, as hereinafter provided, immediately such a consignment is received by them.

This regulation shall not apply to nursery stock imported into the province of British Columbia by residents of that province.

European Nursery Stock.

IV. Nursery stock, not including such stock as is exempt under I of these regulations, originating in Europe, shall be imported only through the ports and, with the exception of St. John, N.B., during the periods specified under section I for stock requiring fumigation, with the addition of the ports of Halifax, N.S., Sherbrooke, P.Q., and Montreal, P.Q., through which ports, and also the port of St. John, N.B., such European stock may enter from September 15 to May 15. **Such European nursery stock, and such other imported**

vegetation as the Minister may determine, entering Canada, shall be exempt from fumigation, but shall be inspected, either at the port of entry or at its destination to which it may be allowed to proceed, but in the latter case it must not be unpacked except in the presence of an inspector.

V. The importation of potatoes into Canada from the State of California, being one of the United States of America, is prohibited. **Potato Tuber Moth Regulation.**

VI. The importation of all non-canned fruits, plants or portions of plants, or other vegetation or vegetable matter from the Hawaiian Islands, is prohibited. **Mediterranean Fruit Fly Regulation.**

VII. Forest plant products, including logs, tan bark, posts, poles, railroad ties, cordwood and lumber originating in any one of the States of Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island, five of the United States of America, shall not be admitted into Canada unless such forest plant products shall be accompanied by a certificate showing that they have been inspected by the United States Department of Agriculture and found free from the Gipsy Moth. Each shipment shall be accompanied by such an inspection certificate and the certificate shall accompany the bill of lading, way-bills or other memoranda pertaining to such shipments. **Forest Plant Products from New England States.**

The importation of coniferous trees such as spruce, fir, hemlock, pine, juniper (cedar) and arbor-vitæ (white cedar) or foliage thereof, and decorative plants such as holly and laurel known and described as "Christmas greens or greenery," from the States of Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island is prohibited. **Prohibition of Importation of Conifers from New England States.**

VIII. The importation of all nursery stock, including trees, shrubs, plants, vines, grafts, scions, cuttings or buds through the mails is prohibited, except greenhouse-grown florists' stock, cut flowers, herbaceous perennials and bedding plants, which will be admitted provided that a detailed statement of the contents is attached to such parcels. **Prohibition of Importation of Nursery Stock through the Mails.**

GENERAL REGULATIONS.

UNDER THE DESTRUCTIVE INSECT AND PEST ACT GOVERNING INSECTS, PESTS AND PLANT DISEASES.

I. "Inspector" means a person appointed for carrying out the provisions of the Destructive Insect and Pest Act and regulations made thereunder. **Inspector.**

II. No tree, plant or other vegetation or vegetable matter infested with any of the insects, pests or diseases to which this Act applies, shall be imported into Canada except as hereinafter provided.

**Destruction
of Infested
Plants.**

III. If, on inspection, nursery stock or other vegetation or vegetable matter is found to be infested with any of the insects, pests or diseases hereinafter specified, it shall be destroyed to the extent deemed necessary by the inspector and in his presence. All cases, packages and packing in which such stock has been contained shall also be destroyed in the same manner.

**Treatment
of Infested
Properties.**

IV. Any inspector entering any lands, nursery or other premises where there is reason to believe that any of the insects, pests or diseases hereinafter specified are or may be present, shall give instructions for the treatment or destruction of any tree, bush, crop or other vegetation or vegetable matter or the containers thereof, which may be found or suspected to be infested with any of the insects, pests or diseases hereinafter specified, and such instructions shall be carried out by the owner or lessee of the infested or suspected vegetation, vegetable matter or containers thereof, and such remedial treatment shall be carried out and continued until the insect, pest or disease shall be deemed by the inspector to have been exterminated.

Compensation.

V. Compensation not exceeding two-thirds of the value as assessed by the inspector, of the vegetation or vegetable matter, or containers thereof, destroyed by the instructions of an inspector, shall be granted by the Governor in Council upon the recommendation of the Minister, except in cases where these regulations are carried out under the direction of the Government of a province not granting compensation.

**Disposal of
Infested
Material
Prohibited.**

VI. It shall be illegal to sell, offer for sale or in any way dispose of or receive any trees, shrubs, or other plants, vegetable matter or portions of the same, if the same are infested with any of the insects, pests or diseases hereinafter specified.

**Notification
of Infestation.**

VII. The owner, occupier or lessee of any premises or place where any of the insects, pests or diseases specified herein shall be found, shall immediately notify the Minister and shall also send to him specimens of such insects, pests or diseases.

**Importation
for Scientific
Purposes.**

VIII. The Minister may, upon special request to that effect, authorize the importation into Canada of any insect, pest or disease herein specified, but for scientific purposes only.

IX. The regulations and amendments thereto made previously under the Destructive Insect and Pest Act are hereby repealed.

X. The destructive insects, pests and diseases to which the said Act shall apply shall include the following:—

**Insects, Pests
and Plant
Diseases
Scheduled.**

a. Insects and Pests—

- The San José Scale (*Aspidiotus perniciosus*).
- The Brown-tail Moth (*Euproctis chrysorrhoea*).
- The Woolly Aphis (*Schizoneura lanigera*).
- The West Indian Peach Scale (*Aulacaspis pentagona*).
- The Gipsy Moth (*Porthetria dispar*).
- The Mediterranean Fruit Fly (*Ceratitis capitata*).
- The Potato Tuber Moth (*Phthorimaea operculella*).

b. Plant Diseases—

- Potato Canker (*Chrysophlyctis endobiotica*).
- Chestnut Bark Disease (*Diaporthe parasitica*).
- White Pine Blister Rust (*Peridermium strobi*).
- Powdery Scab of Potatoes (*Spongospora subterranea*).

THE DESTRUCTIVE INSECT AND PEST ACT.

9-10 EDWARD VII.

CHAP. 31.

AN ACT TO PREVENT THE INTRODUCTION OR SPREADING OF INSECTS,
PESTS AND DISEASES DESTRUCTIVE TO VEGETATION.

(Assented to May 4, 1910.)

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Destructive Insect and Pest Act*. Short title.

2. In this Act, unless the context otherwise requires, "the Minister" means "the Minister of Agriculture." "Minister" defined.

3. The Governor in Council may make such regulations as are deemed expedient to prevent the introduction or admission into Canada, or the spreading therein, of any insect, pest or disease destructive to vegetation. Regulations.

4. Such regulations may provide,—

(a) for the prohibition generally, or from any particular country or place, of the introduction or admission into Canada of any vegetable or other matter likely to introduce any such insect, pest or disease; Scope of Regulations.

(b) the terms or conditions upon, and the places at which any such vegetable or other matter may be introduced or admitted into Canada;

(c) for the treatment and manner of treatment to be given to any vegetation, vegetable matter or premises in order to prevent the spreading of any such insect, pest or disease, and may prescribe whether such treatment shall be given by the owner or by a person appointed for such purpose;

(d) for the destruction of any crop, tree, bush or other vegetation or vegetable matter or containers thereof infested or suspected to be infested with any such insect, pest or disease;

(e) for the granting of compensation for any such crop, tree, bush or other vegetation or containers thereof so destroyed, such compensation not to exceed two-thirds of the value of the matter destroyed and to be granted only by the Governor in Council upon the recommendation of the Minister;

(f) for the prohibition of the sale of any vegetable matter infested with any such insect, pest or disease;

(g) that the occupier of the premises on which is discovered any such insect, pest or disease shall forthwith notify the Minister and shall also send specimens of such insect, pest or disease;

(h) for the confiscation of any vegetable matter and the container thereof, if any, in respect of which a breach of this Act, or any regulation made thereunder, is committed, and generally for any other purpose which may be deemed expedient for carrying out this Act, whether such other regulations are of the kind enumerated in this section or not.

Inspectors
and officers.

5. The Minister may appoint inspectors and other officers for carrying out this Act and the regulations made thereunder.

Confirmation
of Appointment.

2. Such appointments, if not confirmed by the Governor in Council within thirty days of the date thereof, shall lapse and cease to be valid.

Powers of
Inspectors.

6. Any inspector or other officer so appointed may enter any place or premises in which he has reason to believe there exists any such insect, pest or disease, and may take specimens thereof and also of any vegetable matter infested or suspected of being infested therewith.

Powers of
Minister.

7. The Minister, upon the report of any inspector setting forth a reasonable belief of the existence of any such insect, pest or disease in any area defined in such report, may prohibit the removal from such area or the movement therein of any vegetation, vegetable or other matter which, in his opinion, is likely to result in the spread of such insect, pest or disease.

Penalty for
Contravention
of Act and
Regulations.

8. Every person who contravenes any provision of this Act, or any regulation made thereunder, shall be liable, upon summary conviction, to a fine not exceeding one hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment. Any vegetable or other matter imported or brought into Canada contrary to this Act, or to any regulation made thereunder, shall be forfeited to the Crown.

Orders and
Regulations to
be Published
and laid before
Parliament.

9. Every order in council and regulation made under this Act shall be published in *The Canada Gazette*, and shall be laid by the Minister before Parliament within fifteen days after the commencement of the then next session.

R.S., c. 127
Repealed.

10. *The San José Scale Act* is repealed.

